

Chapter 11

Committees Primarily Formed to Support or Oppose State Candidates

This chapter briefly reviews the requirements for primarily formed committees that support or oppose a single state candidate but are not controlled by the candidate they support. If the committee is formed to support or oppose more than one state candidate, refer to the manual for general purpose committees.

Generally, the requirements and restrictions outlined in this manual apply to a committee primarily formed to support or oppose a state candidate, including the following:

- The recordkeeping rules apply to all committees, as well as the duties imposed on the committee treasurer. (Chapter 2.) Although a separate bank account is not required in many cases, it is highly recommended. Contributions received may never be commingled with an individual's personal funds. (Chapter 10.)
- The \$5,000 major donor notification requirement applies and committees should understand the guidelines necessary for proper reporting of contributions. (Chapters 3 and 7.)
- A mass mailing must include the name and address of the committee on the outside of the mailing in no less than 6-point type and in a color or print which contrasts with the background. A copy of the mailing must be retained for four years. (Chapter 4.)
- The committee must be identified if it pays for 500 or more telephone calls. (Chapter 4.)
- Any broadcast or mass mailing that is an independent expenditure must include the name of the committee and the names of the committee's top two donors of \$50,000 or more.
- A primarily formed committee for a state candidate may not receive contributions from another state candidate if the committee is making independent expenditures.
- Committee funds must be used for a political, legislative or governmental purpose. (Chapter 10.) However, committee funds do not become surplus and there is no deadline to terminate the committee.

Filing Obligations

Once \$1,000 or more is raised, the committee must begin filing the following campaign reports:

- Form 410 Statement of Organization
- Form 460 Campaign Statement (semi-annual and preelection)
- Form 465 Supplemental Independent Expenditure Report
- Form 496 Independent Expenditure Report
- Form 497 Contribution Report

Generally, reports are filed at the same times and in the same places that the candidate's controlled committees are required to file, except that a primarily formed committee is

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not required to file reports in its (or the candidate's) county of domicile.

Read the specific instructions for the forms to determine when and where they should be filed. In addition, if the committee is an electronic filer and makes independent expenditures totaling \$1,000 or more during the 90-day election cycle prior to the candidate's election, the Form 496 must be filed within 24 hours.

Contribution Limits

If the committee will make contributions to the candidate it supports (or to any state candidate), the committee may not receive more than \$6,000 per calendar year from a single contributor. Contributions to the candidate the committee supports are subject to the per election contribution limits discussed in Chapter 1.

If the committee is raising funds only for the purpose of making independent expenditures to support or oppose the candidate, there are no limits on contributions received. If the committee will do both—make contributions to candidates and make independent expenditures—and the committee will receive contributions of more than \$6,000 in a calendar year from a single donor, the committee will need two bank accounts.